

MOT
KYLE N. FOSTER, ESQ.
Nevada Bar No. 11125
kyle@harmonwang.com
HARMON WANG, LLC
1428 S. Jones Boulevard
Las Vegas, NV 89146
Tel. 702.868.8248
Fax. 702.868.8249

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

MARIA MORA;

Plaintiff,

vs.

WALGREEN CO., a foreign corporation;
DOES I-V; and ROE CORPORATIONS VI
through X, inclusive,

Defendants.

Case No.: 2:13-cv-01352-JCM-CWH

MOTION TO WITHDRAW AS ATTORNEYS FOR PLAINTIFF MARIA MORA

COMES NOW, Kyle N. Foster, Esq., and moves this court for an Order allowing him to withdraw as attorney of record for MARIA MORA. This motion is made and based upon the pleadings on file herein, together with the points and authorities and the Affidavit of Counsel attached hereto, and such argument and evidence as may be presented at the hearing

...

...

...

...

...

...

1 on this motion, should any occur.

2 DATED this 6th day of February, 2014.

3 **HARMON WANG, LLC**

4 
5
6 **KYLE N. FOSTER, ESQ.**

7 Nevada Bar No. 11125
8 1428 S. Jones Boulevard
9 Las Vegas, Nevada 89146
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

HARMON WANG, LLC
1428 South Jones Boulevard, Las Vegas, Nevada 89146
Telephone (702) 868-8248 Facsimile (702) 868-8249

NOTICE OF MOTION

TO: MARIA MORA, Plaintiff; and

TO: JAMES F. HOLTZ, ESQ., and SCOTT J. INGOLD, ESQ., of the law firm of STUTZ
AERIANO SHINOFF & HOLTZ, A.P.C., attorneys for Defendants.

YOU AND EACH OF YOU will please take notice that the undersigned will bring
the foregoing motion to withdraw at attorney for Plaintiff, MARIA MORA, on for hearing in
the above entitled Court on the _____ day of _____, 2014 at the hour of
_____ or as soon thereafter as counsel may be heard.

DATED this 7th day of February, 2014

HARMON WANG, LLC



KYLE N. FOSTER, ESQ.

Nevada Bar No. 11125
1428 S. Jones Boulevard
Las Vegas, Nevada 89146

POINTS AND AUTHORITIES

Counsel for the Plaintiff requests that he be allowed to withdraw from his representation in this case due to a breakdown of the attorney/client relationship, which prevents counsel from prosecuting this case. Counsel has a fundamental disagreement with actions which Client insists on taking to pursue her claim. U.S. District Court Rule 1A 10-6(b) and (e) authorizes the withdrawal of an attorney in several circumstances including the existence of good cause for withdrawal. In this case, good cause exists due to a breakdown in the attorney/ client relationship as stated in the affidavit of Kyle N. Foster, Esq., which is attached hereto.

Movants' withdrawal as attorney of record will not bring about any unreasonable delay. Additionally, this case is not currently scheduled for trial. Therefore, movant respectfully request that this Court enter an order allowing him to withdraw as attorney of record.

DATED this 7th day of February, 2014.

HARMON WANG, LLC


KYLE N. FOSTER, ESQ.

Nevada Bar No. 11125

1428 S. Jones Boulevard

Las Vegas, Nevada 89146

HARMON WANG, LLC
1428 South Jones Boulevard, Las Vegas, Nevada 89146
Telephone (702) 868-8248 Facsimile (702) 868-8249

AFFIDAVIT OF KYLE N. FOSTER, ESQ.

Kyle N. Foster, Esq., being first duly sworn, deposes and says:

1. That I am an attorney duly licensed to practice law in the State of Nevada and the Federal District Court of Nevada.
2. That I am the attorney of record for MARIA MORA, who is the Plaintiff in the above-captioned matter.
3. That a breakdown in the attorney/client relationship has occurred between myself and MARIA MORA. There is a conflict in personality and opinion as to how the case should proceed and these differences prevent me from representing MARIA MORA in the manner expected and required by the U.S. District Court Rules of Professional Conduct. Plaintiff was notified of my decision to withdraw on January 28, 2014; the last known address of the Plaintiff is:

MARIA MORA

2372 Cowley Way

Las Vegas, NV 89142
4. That Defense counsel has also been notified of my intention to withdraw.

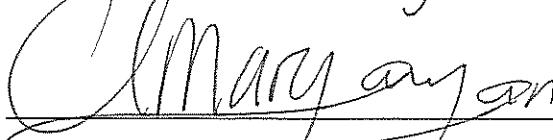
FURTHER AFFIANT SAYETH NAUGHT.

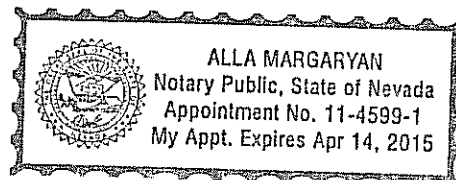
Dated this 7th day of February, 2014.


KYLE N. FOSTER, ESQ.

SUBSCRIBED AND SWORN TO before me

this 7th day of February, 2014


NOTARY PUBLIC in and for said
County and Clark



CERTIFICATE OF MAILING

I certify that on the 11 day of Feb. 2014, I deposited in the United States Post Office at Las Vegas, Nevada, a copy of the forgoing **NOTICE OF MOTION AND MOTION TO WITHDRAW AS ATTORNEY FOR PLAINTIFF MARIA MORA** in a sealed envelope with first class postage thereon fully prepaid and addressed as follows:

MARIA MORA
2732 Crowley Way
Las Vegas, NV 89142
Plaintiff

James F. Holtz, Esq.
Scott J. Ingold, Esq.
STUTZ ARTIANO SHINOFF & HOLTZ, A.P.C.
1120 Town Center Drive
Suite 200
Las Vegas, NV 89144
Attorneys for Defendant Walgreen Co.


Employee of HARMON WANG, LLC

Dated: 2 / 11 / 2014